IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and

THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 801 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 02/02/2005 in W.V.M.P.No. 2883 of 2004 in W.P.M.P.No.20186 of 2003 in WP NO : 16269 OF 2003 on the file of the High Court.)

Between:

1. The Government of A.P., represented by Secrtary Social Welfare

Department.Secrtariat, Hyderabad.

2. The District Collector, (SW) Srikakulam Srikakulam District.

3. The Superintending Engineer, Vamsadhara Project Circle,

Srikakulam Post and District.

..... APPELLANTS

AND

Smt, A. Nagamani W/o Satyam
Hudco Colony, Srikakulam post and District

.....RESPONDENT

Counsel for the Appellants : GP FOR SOCIAL WELFARE

Counsel for the Respondent : MR.B.NAGESWARA RAO

The Court made the following :

JUDGMENT (Per the Honourable Smt.Justice T.Meenakumari)

This writ appeal is preferred by the respondents-appellants against the order passed in W.P.M.P.No:20186 of 2003 and W.V.M.P.No:2883 of 2004 in W.P.No:16269 of 2003 on 2.2.2005 by the learned single Judge.

In W.P.M.P.No:20186 of 2003, by an order dated 17.6.2004, the learned single Judge has suspended the proceedings of the 1st appellant on the ground that the writ petitioner is in service and the proceedings for cancellation of caste certificate are initiated 13 years after the issuance of the caste certificate. As against the same, on the petition filed by the respondents-appellants in W.V.M.P.No:2883 of 2004, the learned single Judge while making the order dated 17.6.2004 as absolute, has dismissed the said application. Having aggrieved by the same, the present writ appeal is preferred by the respondents-appellants.

Heard the learned counsel.

We have perused the material available on record. Admittedly, the writ petitioner is in service and the proceedings for cancellation of the caste certificate are initiated 13 years after the issuance of the caste certificate. Since the present appeal is preferred against an interlocutory order and since the order of the 1st appellant, is a subject matter of the main writ petition, in case of any finding by this Court in that regard at this stage, it may touch the very merits of the main writ petition. Therefore, We do not see any merits in this appeal and the same is liable to be dismissed.

In the result, this writ appeal is dismissed. No costs.

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Justice T.Meenakumari

Dated:13th June, 2005

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Justice P.Lakshmana Reddy

Gurc.

Copy to:

1. The Secretary, Government of A.P., Social Welfare

Department, Secrtariat, Hyderabad.

2. The District Collector, (SW) Srikakulam Srikakulam District.

3. The Superintending Engineer, Vamsadhara Project Circle,

Srikakulam Post and District.

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